

EXHIBIT "A"**Service of Process
Transmittal**

02/19/2019

CT Log Number 534937563

TO: Kim Lundy Service of Process, Legal Support Supervisor
Walmart Inc.
702 SW 8th St, MS#0215
Bentonville, AR 72716-6209

RE: Process Served in Texas

FOR: Walmart Inc. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Garza Anna, Pltf. vs. Walmart, Inc., Dft.
Name discrepancy noted.

DOCUMENT(S) SERVED: Citation, Petition

COURT/AGENCY: 131st Judicial District Court, Bexar County, TX
Case # 2019CI01975

NATURE OF ACTION: Personal Injury - Failure to Maintain Premises in a Safe Condition - 03/03/2018 -
8315 FM 78, Converse, Texas 78109

ON WHOM PROCESS WAS SERVED: C T Corporation System, Dallas, TX

DATE AND HOUR OF SERVICE: By Process Server on 02/19/2019 at 08:04

JURISDICTION SERVED : Texas

APPEARANCE OR ANSWER DUE: By 10:00 a.m. on the Monday next following the expiration of 20 days

ATTORNEY(S) / SENDER(S): Sarah A. Jordan
The Presutti Law Firm, P.C.
1919 Oakwell Farms Parkway, Suite 253
San Antonio, TX 78218
(210)468-3377

ACTION ITEMS: CT has retained the current log, Retain Date: 02/19/2019, Expected Purge Date:
02/24/2019

Image SOP

Email Notification, Kim Lundy Service of Process ctlawsuits@walmartlegal.com

SIGNED: C T Corporation System

ADDRESS: 1999 Bryan Street
Suite 900
Dallas, TX 75201

TELEPHONE: 214-932-3601

PRIVATE PROCESS

Case Number: 2019-CI-01975



2019CI01975 500001

ANNA GARZA**VS.****WALMART INC**

(Note: Attached Document May Contain Additional Litigants.)

IN THE DISTRICT COURT
131st JUDICIAL DISTRICT
BEXAR COUNTY, TEXAS**CITATION****"THE STATE OF TEXAS"**Directed To: **WALMART INC**

BY SERVING ITS REGISTERED AGENT, CT CORPORATION SYSTEM

"You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this CITATION and ORIGINAL PETITION, a default judgment may be taken against you." Said ORIGINAL PETITION was filed on the 30th day of January, 2019.

ISSUED UNDER MY HAND AND SEAL OF SAID COURT ON THIS 1ST DAY OF FEBRUARY A.D., 2019.

SARAH JORDAN PRESUTTI
ATTORNEY FOR PLAINTIFF
1919 OAKWELL FARMS PKWY 253
SAN ANTONIO, TX 78218



Mary Angie Garcia
Bexar County District Clerk
101 W. Nueva, Suite 217
San Antonio, Texas 78205

By: *Adrianna Cardenas*, Deputy

ANNA GARZA
VS
WALMART INC

Officer's Return

Case Number: 2019-CI-01975
Court: 131st Judicial District Court

I received this CITATION on _____ at _____ o'clock _____ M. and () executed it by delivering a copy of the CITATION with attached ORIGINAL PETITION the date of delivery endorsed on it to the defendant, _____ in person on the _____ at _____ o'clock _____ M. at _____ or () not executed because _____

Fees: _____ Badge/PPS #: _____ Date certification expires: _____

_____ County, Texas
By: _____

OR: VERIFICATION OF RETURN (If not served by a peace officer) SWORN TO THIS _____

NOTARY PUBLIC, STATE OF TEXAS

OR: My name is _____, my date of birth is _____, and my address is _____ County.

I declare under penalty of perjury that the foregoing is true and correct. Executed in _____ County, State of Texas, on the _____ day of _____, 20____.

Declarant

ORIGINAL (0K002)

Venue is proper in this action pursuant to Sec. 15.001 seq. of the Texas Civil Practices & Remedies Code in that all or a substantial part of the case of action arose in Bexar County, Texas. This Court has jurisdiction over the controversy because the amount in controversy is above the minimum jurisdictional limits of this court.

IV. FACTS

On or about March 3, 2018, Plaintiff **Anna Garza** was entering the Walmart Supercenter located at 8315 FM 78, Converse, Texas 78109 when she slipped and fell on water on the floor. Defendant was aware the floor was wet, because it was raining on the date of the accident. Defendant did not have any cautions signs warning shoppers of the slippery floor beyond the mat or rug they had placed at the entrance. The Defendant was negligent for not providing safety precautions and/or making the necessary repairs which constitute an unreasonably dangerous condition which Defendant knew or should have been aware of and Defendant's failure to ameliorate the condition, or in the alternative, warn Plaintiff of same, constituted negligence and was a proximate cause of the occurrence in question and the resulting injuries to Plaintiff. This accident was not caused by any fault on the part of Plaintiff.

V. NEGLIGENCE

This accident and the injuries were directly and proximately caused by the negligence of Defendant and its owner and employees, who were at all material times, acting within the course and scope of their employment for Defendant, in one or more of the following respects:

1. Maintaining dangerous condition on the premises.
2. Failing to warn Plaintiff of a dangerous condition on the premises.
3. Failing to reasonably inspect and discover a dangerous condition on the premises.
4. Failing to ameliorate and make safe a dangerous condition on the premises.

Each and all of the above stated acts and/or omissions, taken singularly, constitute negligence and the same are a direct and proximate cause of the injuries and damages sustained by Plaintiff.

VI. PERSONAL INJURIES

Plaintiff alleges that as a direct and proximate result of the negligent conduct of the

Defendant, **Anna Garza**, has suffered and is suffering from injuries and damages. In connection with such injuries **Anna Garza** has suffered severe physical pain and mental pain, disability, disfigurement and mental anguish in the past and is suffering at the present, and in all reasonable probability will continue to suffer for some time in the future if not the balance of his natural life.

VII. DAMAGES

Plaintiff would show that as direct and proximate result of the above-mentioned injuries **Anna Garza** incurred doctor bills and other medical expenses in the past and is incurring the same at the present time and will, in all reasonable probability, continue to incur the same in the future.

1. These expenses were incurred for necessary care and treatment of the injuries resulting from the accident complained of.
2. These expenses are reasonable and were the usual and customary charges made for services of the same kind.
3. On this item of damage, Plaintiff further sues for prejudgment interest from the date of the notice on January 26, 2016 until the day of judgment.
4. Plaintiff has suffered physical pain and mental pain, disability and mental anguish in the past and will continue to suffer in the future in a sum within the jurisdiction of the court.

By reason of the above and foregoing, Plaintiff has been damaged in a sum over \$100,000.00 including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees.

VIII. REQUEST FOR DISCLOSURE

Plaintiff requests that the Defendant disclose, pursuant to Rule 194, Tex.R.Civ.P., within thirty (30) days of service of this request, the information or material described in Rule 194.2.

IX.

Pursuant to §30.014 of the Texas Civil Practice & Remedies Code, the last three digits of Plaintiff's Texas driver's license are 165 and the last three digits of Plaintiff's social security number

are 556.

X. PRAYER

WHEREFORE PREMISES CONSIDERED, Plaintiff prays that the Defendant be duly cited to appear and answer herein; that upon a final trial of this cause, Plaintiff recovers:

1. Judgment against Defendant;
2. Fair and adequate damages to be determined by the jury;
3. Pre-judgment and post-judgment interest as allowed by law;
4. Costs of Court; and
5. Such other and further relief to which Plaintiff may be justly entitled.

Respectfully Submitted,

THE PRESUTTI LAW FIRM, P.C.



By: _____

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